

FILED

JUL 13 2017

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CLERK, U.S. BANKRUPTCY COURT
WEST DIST. OF PENNSYLVANIA

| | | |
|--------------------------|---|--|
| In re: | : | Case No. 12-23412-GLT |
| | : | Chapter 13 |
| LANCE P. MCCULLOUGH and | : | |
| JANELLE L. MCCULLOUGH, | : | |
| | : | |
| Debtors. | : | |
| <hr/> | | |
| NAVIENT SOLUTIONS, INC., | : | Related to Dkt. Nos. 165, 166, and 169 |
| | : | |
| Movant, | : | |
| | : | |
| v. | : | |
| | : | |
| NO RESPONDENT. | : | |
| <hr/> | | |

**SECOND ORDER TO SHOW CAUSE
ISSUED AGAINST NAVIENT SOLUTIONS, INC.**

This matter came before the Court upon the *Withdrawal of Claim* [Dkt. No. 165] filed by Navient Solutions, Inc. ("Navient") on April 3, 2017. The *Withdrawal of Claim* sought the withdrawal of Claim No. 9 in the amount of \$129,079.97 filed by Sallie Mae Inc. on behalf of the Department of Education ("Sallie Mae"). Because the record indicated that Claim No. 9 is held by Sallie Mae, the Court issued its *Order* dated April 18, 2017 [Dkt. No. 166] requiring Navient to file a transfer or assignment of claim on or before May 17, 2017 to evidence the transfer from Sallie Mae to Navient.

No transfer of assignment or claim was filed by the May 17 deadline. On June 2, 2017, the Court issued an *Order to Show Cause* [Dkt. No. 169] directing Navient to personally appear through a duly authorized representative or its legal counsel at a hearing before the Court on July 12, 2017 to address its failure to comply with the April 17 *Order*. No representative or

counsel appeared on behalf of Navient at the July 12 hearing. Further, as of the date of this *Order*, a transfer or assignment of claim remains unfiled.

AND NOW, based upon the foregoing, it is hereby **ORDERED, ADJUDGED,**
and **DECREED** that:

1. A *Second Order to Show Cause* is issued against Navient to personally appear through a duly authorized representative or its legal counsel at a hearing before this Court on **August 9, 2017 at 11:00 a.m.** in Courtroom A, 54th Floor U.S. Steel Tower, 600 Grant Street, Pittsburgh, Pennsylvania 15219, to show cause as to why Navient should not be held in contempt for its failure to comply with both the April 17 *Order* and the *Order to Show Cause* and to appear at the July 12 hearing in violation of the *Order to Show Cause*.

2. Any response to this *Order to Show Cause* shall be filed on or before **August 2, 2017**.

Dated: July 12, 2017



GREGORY I. ADDONIO ^{mt}
UNITED STATES BANKRUPTCY JUDGE

Case administrator to mail to:

Lance P. and Janelle L. McCullough
David Z. Valencik, Esq.
Navient Solutions, Inc.
Sallie Mae Inc.
Ronda J. Winnecour, Esq.
Office of the U.S. Trustee

Navient Solutions, Inc.
Attn: Jack Remondi, CEO
123 Justison St.
Wilmington, DE 19801

Navient Solutions, Inc.
Attn: Sarah Honeycutt, Litigation Analyst
11100 USA Parkway (MC E-3149)
Fishers, IN 46037

Navient Solutions, Inc.
Attn: Jennifer Musial, Claims Analyst
220 Lasley Avenue
Hanover Industrial Estate
Wilkes-Barre, PA 18706

Sallie Mae Inc. on behalf of the Dept. of Education
Attn: Jennifer Musial, Claims Analyst
P.O. Box 740351
Atlanta, GA 30374-0351

Jennifer Musial
Jennifer.R.Musial@salliemae.com

Imaged Certificate of Notice Page 3 of 3

United States Bankruptcy Court
Western District of PennsylvaniaIn re:
Lance P. McCullough
Janelle L. McCullough
DebtorsCase No. 12-23412-GLT
Chapter 13**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: dkam
Form ID: pdf900Page 1 of 1
Total Noticed: 2

Date Rcvd: Jul 13, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 15, 2017.

+Navient Solutions, Inc., Attn: Jennifer Musial, Claims Analyst, 220 Lasley Avenue,
Hanover Industrial Estate, Wilkes-Barre, PA 18706-1430
Sallie Mae Inc. on behalf of the Dept. Education, Attn: Jennifer Musial, Claim Analyst,
P.O. Box 740351, Atlanta, GA 30374-0351Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jul 15, 2017

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 13, 2017 at the address(es) listed below:

Andrew F Gornall on behalf of Creditor The Bank of New York Mellon, et al...
agornall@goldbecklaw.com, bkgroup@goldbecklaw.com; bkgroup@kmlawgroup.com
Andrew F Gornall on behalf of Creditor BANK OF AMERICA, N.A. agornall@goldbecklaw.com,
bkgroup@goldbecklaw.com; bkgroup@kmlawgroup.com
David Z. Valencik on behalf of Debtor Lance P. McCullough dvalencik@c-vlaw.com,
cvlaw.ecf.dvalencik@gmail.com; aheath@c-vlaw.com; kmosur@c-vlaw.com; bhassain@c-vlaw.com
David Z. Valencik on behalf of Joint Debtor Janelle L. McCullough dvalencik@c-vlaw.com,
cvlaw.ecf.dvalencik@gmail.com; aheath@c-vlaw.com; kmosur@c-vlaw.com; bhassain@c-vlaw.com
Donald R. Calaiaro on behalf of Joint Debtor Janelle L. McCullough dcalaiaro@c-vlaw.com,
cvlaw.ecf.dcalaiaro@gmail.com; aheath@c-vlaw.com; kmosur@c-vlaw.com; bhassain@c-vlaw.com
Donald R. Calaiaro on behalf of Debtor Lance P. McCullough dcalaiaro@c-vlaw.com,
cvlaw.ecf.dcalaiaro@gmail.com; aheath@c-vlaw.com; kmosur@c-vlaw.com; bhassain@c-vlaw.com
James Warmbrodt on behalf of Creditor The Bank of New York Mellon FKA The Bank of New York
bkgroup@kmlawgroup.com
Mark B. Peduto on behalf of Debtor Lance P. McCullough pandaecfinbox@yahoo.com
Mark B. Peduto on behalf of Joint Debtor Janelle L. McCullough pandaecfinbox@yahoo.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Peter J. Ashcroft on behalf of Creditor Duquesne Light Company pashcroft@bernsteinlaw.com,
ckutch@ecf.courtdrive.com; pashcroft@ecf.courtdrive.com; pghecf@bernsteinlaw.com; dschimizzi@bernste
inlaw.com; acarr@bernsteinlaw.com; cabbott@ecf.courtdrive.com
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 12